

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

WYATT B. and NOAH F. by their next friend Michelle McAllister; KYLIE R. and ALEC R. by their next friend Kathleen Megill Strek; UNIQUE L. by her next friend Annette Smith; SIMON S; BERNARD C.; NAOMI B.; and NORMAN N., individually and on behalf of all others similarly situated,

Plaintiffs,

v.

TINA KOTEK, Governor of Oregon in her official capacity; FAIRBORZ PAKSERESHT, Director, Oregon Department of Human Services in his official capacity; APRILLE FLINT-GERNER, Director, Child Welfare in her official capacity; and OREGON DEPARTMENT OF HUMAN SERVICES,

Defendants.

No. 6:19-cv-00556-AA

**Cooper Declaration In
Support of Plaintiffs’
Nomination of Kevin Ryan
to Serve as Neutral**

I, Emily Cooper, declare as follows:

1. I am over the age of eighteen, have personal knowledge of the matters contained herein, and am competent to testify thereto.
2. I am the Legal Director at Disability Rights Oregon (“DRO”), the designated Protection and Advocacy system for Oregon and Class Counsel in the above captioned matter.
3. Attached as Exhibit A is a true and accurate copy of the email with attachments Plaintiffs’ Counsel sent to Ms. Kramer, Courtroom Deputy Clerk to Judge Ann Aiken, at 2:01pm on June 7, 2024.

4. Attached as Exhibit B is a true and accurate copy of the email exchange between Plaintiffs and Defendants dated May 22, 2024, to May 29, 2024, regarding scheduling our conferral on selection of the Neutral Expert.

5. Attached as Exhibit C is a true and accurate copy of the email sent from Defendants to Plaintiffs providing requested contact information for two candidates and providing their top five candidates for the neutral at 1:55pm on May 30, 2024.

6. Attached as Exhibit D is a true and accurate copy of the email exchange between Defendants to Plaintiffs referencing Plaintiffs asks for Defendants to narrow their list of candidates and provide contact information so that we may fully vet their top candidates.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 10th day of June in Portland, Oregon.

/s/ Emily Cooper

Emily Cooper, OSB #182254
Disability Rights Oregon